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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/561,486	10/18/2006	Robert Linley Muir	17237US01	6424

23446 7590 05/28/2008

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EXAMINER	
RENWICK, REGINALD A	

ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
05/28/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/561,486	MUIR ET AL.	
	Examiner	Art Unit	
	REGINALD A. RENWICK	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 October 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-43* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3, 5-9, 11, 12, 13, 15, 16, 17, 20-25, 27, 28, 29, 31-35, 37-39,41-43 rejected under 35 U.S.C. 103(a) as being unpatentable over Wells (U.S. Patent No. 6,846,238) in view of Dickenson (U.S. Patent No. 5,265,874).

Re claim 1, 5, 7, 8, 18, 21, 23, 24, and 34: Wells discloses a gaming system including a system controller (column 20, lines 48-55), a credit establishment means (column 24, lines 47-50), a plurality of gaming machines, and a communications system connecting each of the plurality of gaming machines to the system controller (column 21, lines 18-24), the gaming machines each having credit recording means, a player input device (Abstract; column 8, lines 47-57), a tracking input device (Abstract; column 15, lines 14-23) and a game controller (column 17, lines 10-14), each game controller being arranged to play a game when a player has established a credit in the credit recording

means of the respective gaming machine (column 8, lines 55-63), each gaming machine being responsive to the presence of a player credit held by in the credit recording means of the respective machine to lock the machine preventing play by any player unless the machine is supplied via the tracking input device (Fig. 5; column 22, lines 31-38) with a player tracking means associated with the credit held in the credit recording means of the respective gaming machine (column 22, lines 23-27). Although Wells discloses both a credit establishing means in the form of a credit or debit card or smart card, and a player tracking device in the form of a smart card or biometric data, wells does not disclose that both are associated together by a credit establishing means. However, Dickenson discloses a player ID card that contains a monetary value as well as a player identification information, wherein when the player ID card is inputted into the gaming machine, a credit establishing facility in the form of a validation terminal, associates the player identification information with a predetermined credit account. Afterwards, the credit account information is downloaded onto the selected game terminal and the gaming terminal can then be played (Abstract). Because both Wells and Dickenson disclose a player tracking card, it would have been obvious to one skilled in the art to simply substitute the player tracking card of Wells with the player tracking card of Dickenson, to achieve the predictable result of a player tracking card that contains a monetary value.

Re claim 3: Wells discloses that when the player has reserved their game with a player tracking means, if they should run out of money on the wireless player they must return

to the gaming machine and deposit more money. Although, Wells does not disclose that the machine is not locked while there are zero credits in the machine, because Wells discloses that the player must return to the gaming station or insert funds into the wireless game player, one skilled in the would reasonably assume that a consequence of the not putting in more funds would be that the game machine would be reset and another player could use the now non-reserved game machine (column 22, lines 43-51). It would have been obvious to one skilled in the art at the time the invention was made to try to remove the reservation of a gaming station that no longer contains credits, because while gaming machines with zero credits are reserved, they do not generate revenue for the casino as suggested by Wells.

Re claim 6: Wells fails to disclose that the player credit established by the credit establishment means and associated with a player tracking means of a player establishing the credit is held in the system controller. However, Dickenson discloses that the player credit associated with a player identification card is held in a validation terminal before being distributed to the selected gaming machine (Abstract). (See combination of claim 1)

Re claim 9 and 11: Wells discloses that the player tracking means is a token wherein the token is a smart card (column 9, lines 63- 67; column 22, lines 19-23).

Re claim 12: Although Wells discloses the use of a smart card to identify a player, Wells fails to disclose that the token is issued by the gaming establishment as an in-house identification mechanism. However Dickenson discloses such (column 3, lines 42-50). It is obvious to one skilled in the art for the gaming establishment to issue a player tracking card, to prevent false and in-secure player tracking cards.

Re claim 13: Although Wells discloses the use of a credit card or debit card for use as a credit establishing means, Wells fails to specifically identify the card as a player tracking token. However, to one skilled in the art because a credit card or debit card commonly stores the identification of the owner, it would have been obvious to one skilled in the art to utilize the credit card as a player tracking token, for accounting purposes that recognize where a player has paid money to play particular games (column 9, lines 46-51).

Re claim 15 and 16: Wells discloses that the tracking input device is a bio-sensor input device and the player tracking means is a physical attribute of the player wherein the tracking input device is a fingerprint reader and the player tracking means is a fingerprint of the player (column 4, lines 46-53; column 22, lines 1-6).

Re claim 17. Wells discloses that the tracking input device is an iris scanner and the player tracking means is an eye of the player (column 10, lines 8-13).

Re claim 20: Wells discloses that when the player has reserved their game with a player tracking means, if they should run out of money on the wireless player they must return to the gaming machine and deposit more money. Although, Wells does not disclose that the machine is not locked while there are zero credits in the machine, because Wells discloses that the player must return to the gaming station or insert funds into the wireless game player, one skilled in the would reasonably assume that a consequence of the not putting in more funds would be that the game machine would be reset and another player could use the now non-reserved game machine (column 22, lines 43-51). It would have been obvious to one skilled in the art at the time the invention was made to try to remove the reservation of a gaming station that no longer contains credits, because while gaming machines with zero credits are reserved, they do not generate revenue for the casino as suggested by Wells.

Re claim 22: Wells fails to disclose that the player credit established by the credit establishment means and associated with a player tracking means of a player establishing the credit is held in the system controller. However, Dickenson discloses that the player credit associated with a player identification card is held in a validation terminal before being distributed to the selected gaming machine (Abstract).

Re claim 25 and 27: Wells discloses that the player tracking means is a token (column 9, lines 63-67; column 22, lines 19-23), wherein the token is a smart card.

Re claim 28: Although Wells discloses the use of a smart card to identify a player, Wells fails to disclose that the token is issued by the gaming establishment as an in-house identification mechanism. However Dickenson discloses such (column 3, lines 42-50).

Re claim 29: Although Wells discloses the use of a credit card or debit card for use as a credit establishing means, Wells fails to specifically identify the card as a player tracking token. However, to one skilled in the art because a credit card or debit card commonly stores the identification of the owner, it would have been obvious to one skilled in the art to utilize the credit card as a player tracking token, for accounting purposes that recognize where a player has paid money to play particular games (column 9, lines 46-51).

Re claim 31 and 32: Wells discloses that the tracking input device is a bio-sensor input device and the player tracking means is a physical attribute of the player wherein the tracking input device is a fingerprint reader and the player tracking means is a fingerprint of the player (column 4, lines 46-53; column 22, lines 1-6).

Re claim 33: Wells discloses that the tracking input device is an iris scanner and the player tracking means is an eye of the player (column 10, lines 8-13).

Re claim 35 and 37: Wells discloses that the player tracking means is a token (column 9, lines 63-67; column 22, lines 19-23), wherein the token is a smart card.

Re claim 38: Although Wells discloses the use of a smart card to identify a player, Wells fails to disclose that the token is issued by the gaming establishment as an in-house identification mechanism. However Dickenson discloses such (column 3, lines 42-50).

Re claim 39: Although Wells discloses the use of a credit card or debit card for use as a credit establishing means, Wells fails to specifically identify the card as a player tracking token. However, to one skilled in the art because a credit card or debit card commonly stores the identification of the owner, it would have been obvious to one skilled in the art to utilize the credit card as a player tracking token, for accounting purposes that recognize where a player has paid money to play particular games (column 9, lines 46-51).

Re claim 41 and 42: Wells discloses that the tracking input device is a bio-sensor input device and the player tracking means is a physical attribute of the player wherein the tracking input device is a fingerprint reader and the player tracking means is a fingerprint of the player (column 4, lines 46-53; column 22, lines 1-6).

Re claim 43: Wells discloses that the tracking input device is an iris scanner and the player tracking means is an eye of the player (column 10, lines 8-13).

3. Claims 2, 4, 10, 19, 26, and 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wells in view of Dickenson in further view of Walker (2003/0220138) in further view of Raven (U.S. Patent No. 5,429,361).

Re claim 2: Wells fails to disclose that the gaming machines connected to the system includes a reservation button which when pressed while the player tracking means is present causes the machine to lock and prevent further play in the absence of the respective player tracking means. However, Walker discloses a reservation button wherein the reservation button is a “freeze button” that when pressed while the player tracking means is present causes the machine to lock and prevent further play in the absence of the respective player tracking means (0227; 0265). Because both Wells and Walker disclose reserving a game machine, it would have been obvious to one skilled in the art to simply substitute the method of Walker with the “freeze” or reservation button of Walker to achieve the predictable of reserving a game with a reservation button. Wells and Walker in combination fails to specifically disclose that the reservation is conducted upon the absence of the player tracking means. However, Raven discloses such (column 8, lines 24-39). It would have been obvious to one skilled in the art to try to modify the invention of Wells and Walker with the reservation method of Raven, for

the purpose of allowing the player to authenticate their presence upon returning to the machine.

Re claim 4: Although Wells fails to disclose that the gaming machines connected to the system include a timeout means such that when the machine is locked for more than a predetermined time any credit held in the credit recording means of the machine is transferred to the gaming system controller and held there for the player and the machine is unlocked to allow another player to establish a credit in the credit recording means of the machine and commence play, Raven certainly discloses that there is a reservation sequence put into place by the player where the game machine is reserved for a specific period of time. Because Raven discloses such a process the conditions for which the process is set or the results of the function, is a simple matter of design choice as any limitations or added results can be modified to the reservation function of Raven. It would have been obvious to one skilled in the art that the game credits would be

Re claim 10: Although Wells discloses the use of a smart card to identify a player, Wells fails to disclose the use of a magnetic stripe as part of the game token. However, Raven discloses the use of a card token contains personal data (Abstract) that utilizes a magnetic stripe to store information (column 6, lines 36-62).

Re claim 19: Wells fails to disclose that the gaming machines connected to the system

includes a reservation button which when pressed while the player tracking means is present causes the machine to lock and prevent further play in the absence of the respective player tracking means. However, Walker discloses a reservation button wherein the reservation button is a “freeze button” that when pressed while the player tracking means is present causes the machine to lock and prevent further play in the absence of the respective player tracking means (0227; 0265). Because both Wells and Walker disclose reserving a game machine, it would have been obvious to one skilled in the art to simply substitute the method of Walker with the “freeze” or reservation button of Walker to achieve the predictable of reserving a game with a reservation button. Wells and Walker in combination fails to specifically disclose that the reservation is conducted upon the absence of the player tracking means. However, Raven discloses such (column 8, lines 24-39). It would have been obvious to one skilled in the art to try to modify the invention of Wells and Walker with the reservation method of Raven, for the purpose of allowing the player to authenticate their presence upon returning to the machine.

Re claim 26 and 36: Although Wells discloses the use of a smart card to identify a player, Wells fails to disclose the use of a magnetic stripe as part of the game token. However, Raven discloses the use of a card token contains personal data (Abstract) that utilizes a magnetic stripe to store information (column 6, lines 36-62).

4. Claims 14, 30 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells in view of Dickenson in view of Chudd et al. (US PGPUB 2004/0053684).

Re claim 14 and 30 and 40: Wells and Dickenson fail to disclose that the token is a ticket printed by the gaming establishment operating the system and readable by a bill acceptor mounted within the gaming machine. However, Chudd discloses a method and apparatus for payout in a gaming machine consisting of tokens that include a paper ticket voucher that is both read and printed by the gaming machine (0032, 0033).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to REGINALD A. RENWICK whose telephone number is (571)270-1913. The examiner can normally be reached on Monday-Friday, 7:30AM-5:00PM, Alt Fridays, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

5/28/2008
/R. A. R./
Examiner, Art Unit 3714

/Ronald Laneau/
Supervisory Patent Examiner, Art Unit 3714
05/27/08